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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,810	09/28/2001	Christopher N. Olsen	219.40419X00	2878

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EXAMINER

ARBES, CARL J

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 04/24/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Offic Action Summary</b>	Application No.	Applicant(s)
	09/964,810	OLSEN, CHRISTOPHER N.
	Examiner C. J. Arbes	Art Unit 3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 28 September 2001.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

4) Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-23 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) All b) Some \* c) None of:

        1. Certified copies of the priority documents have been received.

        2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

        3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    \* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

Claims 1-23 are rejected under 35 U.S.C. 101 because Each of the claims recite merely mental function as opposed to manipulative steps. Applicant expressly state in Claim 8 that the Group (Claims 8-15) is a method of **designing a circuit board**. It is believed and therefore held that the law as now interpreted is such that each of Claims 1-23 is not valid because these claims are drawn to no-statutory subject matter.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-23, assuming these claims are statutory, are further rejected under 35 U.S.C. 103(a) as being unpatentable over Japan Pat. No. 07-245575 by Takeshi; hereinafter '575..

The '575 teaches parallel transmission lines for plural signals wherein a first plurality of conductive paths are in a first plane and are arranged in a first orientation and a second plurality of conductive paths are in a second plane and are arranged in a second orientation so as to minimize or reduce crosstalk. The parallel wires of the first plane are connected to the parallel wires of the second plane by means of through-holes. If in fact the '575 fails to teach ...analyzing characteristics of signals... (which it is believed that the Japanese Reference does teach) then it is held to have been obvious for an artisan to perform this step which would allow the minimization of crosstalk between the parallel conductors or paths. Alternatively the "analyzing" step is held to be unclear,

vague and indefinite and without significance. It is not a positive or manipulative recitation in the same sense that "rearranging said pattern of conductive paths (Cf Claims 8 and 16) is.

Claims 1-23, assuming these Claims are statutory, are further rejected under 35 U.S.C. 103(a) as being unpatentable over Japan Pat No. 2000-244133, by Masano et al, hereinafter '133..

The '133 teaches a multiplayer wiring board having pluralities of conductive paths. A second group of parallel conductive paths is placed normal (90 degrees) to a first group of parallel conductive paths, a third group of parallel conductive paths is placed 30-60 degrees to the first group of conductive paths and a fourth group of parallel conductive paths is placed normal to the third group. The parallel groups are connected by means of through conductors. If in fact the '133 fails to teach...analyzing characteristics of signals...(which it is believed that the Japanese Reference does teach) then it is held to have been obvious for an artisan to perform this step which would allow the minimization of crosstalk between the parallel conductors or paths.

Any inquiry concerning this communication should be directed to C. J. Arbes at telephone number (703)308-1857.

*CJA*  
CARL J. ARBES  
PRIMARY EXAMINER